

REMARKS

Claims 7-12 are pending. Claim 7 is amended with this paper.

Claim Objections

Claim 7 was objected to because of an informality in line 7. Appropriate correction has been made in accordance with the Examiner's instruction.

Claim Rejections – 35 USC 102

Claims 7, 8, and 10-12 are rejected under 35 USC 102(b) as being anticipated by USP 5,369,582 to Gorny *et al.* ("Gorny").

Applicant respectfully submits that Gorny does not operate in manner as required by independent Claim 7 and therefore can not anticipate Claim 7. Claim 7 requires, in pertinent part, adapting the damper force based on the signal while *the ride level control system is changing the vehicle ride level*. The italicized text indicates the ride level control system is effecting, e.g. forcing, the vehicle ride level change. As best understood this is not how Gorny works.

Gorny does not describe a ride level control system at all. Instead, Gorny describes a traditional sprung vehicle suspension with variable damping. Col 1, lines 10-15. The Gorny suspension system does not effect vehicle ride level change. As with all traditional sprung suspension systems, the Gorny vehicle ride level changes due to variances in vehicle weight (such as by adding or removing vehicle passengers) or variances in road surface elevation (such as by humps and dips). In Gorny the forcing function for vehicle ride height comes from outside of the vehicle suspension system.

In stark contrast, Applicant's Claim 7 requires that the forcing function for vehicle ride height come from the ride level control system, i.e. while *the ride level control system is changing the vehicle ride level*. Since Gorny does not describe a ride level control system Applicant must respectfully submit that Gorny does not anticipate Claim

7 and that Claim 7 is in a condition for allowance.

Claims 8-12 depend either directly or indirectly from Claim 7 and are believed to be in a condition for allowance for at least the same reason as Claim 7.

CONCLUSION

Accordingly, Applicant believes that the claims as amended overcome the raised objections and rejections and are in a condition for allowance.

Respectfully submitted,

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